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C O N F I D E N T I A L SECTION 01 OF 03 KIEV 000553

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SUBJECT: UKRAINE: YOU TAKE THE LOW ROAD AND I'LL TAKE THE
HIGH ROAD: YUSHCHENKO GOES TO THE RADA

REF: KIEV 317

Classified By: DCM Sheila Gwaltney, reason 1.4 (b,d)

11. (C) Summary: Circus-like farce impinged on serious statecraft at the Verkhovna Rada (Ukrainian Parliament) the morning of February 9. President Yushchenko delivered an hour-long "State of the Nation" address to the Rada, reviewing the accomplishments of the past year since his inauguration and laying out his vision to take the country forward. The speech generally echoed the positive, Western-oriented principles expressed in his January 2005 inaugural address; there were multiple rounds of applause interrupting the speech, though his proposal to launch a post-election constitution commission to consider overhauling the Constitution sparked audible grumbling. The Rada's level of decorum hardly matched the occasion. Former (and first) Ukrainian President Leonid Kravchuk, now an SPDU(o) MP, strolled in 15 minutes into the speech; at least 150 MPs did not bother to show up. Cell phones rang throughout the second half of Yushchenko's presentation. Ten minutes before Yushchenko concluded, Rada Speaker Lytvyn summoned one of his deputy party leaders, Oleh Zarubinsky, to the rostrum ten feet behind where Yushchenko was speaking, wrote out a note with points, and gave finger-wagging verbal instructions for the spin to be used in the hallway after the speech; Zarubinsky largely panned what Yushchenko had said and attacked Our Ukraine positions.

12. (C) Prior to Yushchenko's arrival, Communist and Our Ukraine MPs had brawled in the well of the Rada after the Communists attempted to adorn the podium with a politicized red banner; Our Ukraine faction leader Mykola Martynenko ended up with a bloodied nose. A previously routine annual vote to approve the schedule of international military exercises to be held in Ukraine failed to achieve the required support after several factions politicized the vote in pre-election posturing, led by one of the Rada's more clownish members, Nestor Shufrych (SPDU(o)), whose insistence on delivering an anti-NATO diatribe in Russian drew catcalls from MPs. All in all, the behavior of the Rada MPs contrasted sharply with the lofty principles in the "State of the Nation" address and appeared to live up to Yushchenko's reported characterization of them at a mid-January meeting of the National Security and Defense Council (NSDC) as acting like: "a bunch of schoolboys in short pants." End summary.

Round One: A Rumble in the Rada

13. (SBU) Preparations for the annual Presidential "State of the Nation" address in the Rada got off to a rocky start February 9 when Communist MPs attempted to adorn the podium to be used by Yushchenko with a red banner proclaiming: "where are your ten steps for the people?" -- a reference to Yushchenko's ten-point Presidential campaign platform. When Our Ukraine (OU) MPs moved in to remove the banner, vigorous fisticuffs ensued, with Communist MP Oleksandr Bondarchuk punching OU faction leader Mykola Martynenko in the face, bloodying Martynenko's nose, as well as the Rada's already low recent track record of civility.

Round Two: Pre-election posturing over military exercises

14. (SBU) With Yushchenko's arrival delayed by 30 minutes, the Rada attempted to complete the first item on its regular agenda: approval of the Presidential decree to allow foreign troops onto Ukrainian territory to participate in bilateral and multilateral exercises in 2006. Before a raucous crowd of MPs carrying on loud private conversations without consideration for the official proceedings, Defense Minister Hrytsenko presented the benefits to the Ukrainian armed forces, including a higher standard of professionalism and readiness, as well as a total of 500,000 euros of support from partner nations. Former Defense Minister (and current MP) Kuzmuk, speaking for the National Security and Defense Committee, fully endorsed the proposal and called for strong Rada support.

15. (SBU) Sensing pre-election politics were likely to affect the vote, Hrytsenko pointed out that the Rada had routinely endorsed the annual plan when the PM had been from Party of Regions (Yanukovych), the President's Chief of Staff from SPDU(o) (Medvedchuk), and the Rada speaker a Socialist

(Moroz). To no avail. Leading Rada lightning rod Nestor Shufrych launched into an anti-NATO tirade in Russian, leading to catcalls from many MPs (Note: Shufrych and fellow members of the SPDU(o) stopped speaking in Ukrainian in the Rada when their "Ne Tak" (literally "Not that Way," but a mocking wordplay on Yushchenko's 2004 Presidential campaign slogan "Tak!") electoral bloc rolled out a pro-Russian language, anti-NATO platform in January. End note). The motion failed to secure the required 226 votes to pass, with only 215 in favor, 11 against, and the rest not present or not voting. Only two MPs from the Socialist party, a formal member of the government which often votes against government security and economic initiatives, voted; half of Lytvyn's faction also did not vote. Shufrych ripped the microphone away from presiding deputy Speaker Martynyuk as the latter started to call for the standard follow-up vote about reconsidering the motion later; after Martynyuk struggled with Shufrych and successfully recovered the microphone, the reconsideration vote proceeded, with the same 215-11 failed result.

16. (C) Note: Dmytro Polishchuk of the Rada's National Security and Defense Committee told us February 9 that while training cannot start in the absence of Rada approval, the Rada will revisit the measure in two weeks. Ministry of Defense (MOD) contacts told us that they considered the vote a temporary "business as usual" setback and expect the measure to be re-introduced as often as necessary to gain approval. MOD recommended exercise planners continue work on all planned exercises; a planning conference for Exercise Sea Breeze concluded in the Crimea February 9.

Round Three: Yushchenko's State of the Nation Assessment

17. (SBU) In reviewing the progress Ukraine had made in the past year, Yushchenko began by thanking all those, in Ukraine and abroad, who had helped Ukraine rejoin the global community of democracies. Ukraine had inherited a corrupted system but had been blessed with elections and renewed freedom. Ukraine deserved a new model of power, a new concept of governance based on dialogue with its citizens, a sense of unity among all Ukrainians based on shared values, societal trust, tolerance, a vibrant culture. Ukraine's reform efforts were driven by a desire to be a European country and the strategic aim to join the European Union, while maintaining strategic partnerships with Russia and the U.S.

18. (SBU) Appealing to Rada MPs to rise above personal and party interests, he admonished them, to loud applause, not to make promises in the morning and violate them at night, and to avoid turning Ukrainians against each other during the election campaign by manipulating issues involving religion, nationality, or NATO. The task ahead of all Ukrainian politicians was to resolve the conflict between the old authoritarian system of governance with the new values and expectations of Ukrainians. State authority needed to be responsive to the needs of citizens, not an instrument of those in power. The political decision making process needed to be open and consultative. The security services needed to act with the rights of the citizen in mind; the government needed to institute a citizens' control board, improve the justice system, increase transparency, and attack corruption. Yushchenko then repeated the other government priorities laid out in his speech on the first anniversary of his inauguration (reftel).

Round Four: Proposal for Real Political Reform

19. (SBU) Three quarters of the way through the largely predictable and nonconfrontational speech, Yushchenko threw a left hook on the tense issue of political reform. He initially reached out to Rada Speaker Lytvyn with a compromise: the Rada should seat already nominated Constitutional Court Judges, and he promised not to appeal the December 8, 2004 package of constitutional reforms to the Court prior to the March elections.

10. (SBU) After terming the reforms which went into effect January 1 as merely "partial," Yushchenko proceeded to propose "real, comprehensive political reform." Such real reform would be accomplished by establishing a constitutional commission comprised of political and party leaders, local authorities, academic experts, and members of civil society to develop a new Ukrainian constitution, conduct a nationwide referendum on accepting/rejecting the new draft, and pass a range of laws to develop constitutional norms. All would ensure the efficient work of a new political model appropriate for the new Ukraine, based on the principles of: involving people in government decision-making, installing transparency and accountability into government; balancing powers and functions between branches of government; delegating more authority and resources to local government; fighting corruption; and improving the prestige of serving as

a civil servant.

11. (SBU) Amidst a groundswell of MP grumbling, a ringing bell calling for order, and isolated cries of "Kuchma" from the SPDU(o) MPs who only two years ago had been the avatars of Kuchmaism, Yushchenko finished with quotes from Ukrainian national bard Shevchenko ("When asked who was Ukrainian, Shevchenko replied: 'Those who died here, those who live here, and those who will be born here'") and Napoleon ("Politics is our destiny") in appealing to the Rada to fulfill their duty, if not destiny, in working responsibly in the national interest and building a better country for future generations of Ukrainians.

Round Five: Post-Speech spinning (and Poor Manners)

12. (SBU) As could have been expected six weeks prior to elections, parliamentarians of all parties sought out eager journalists in the hallway of the Rada to offer their partisan spin on Yushchenko's remarks, reinforcing campaign ad themes. Zarubinsky (Lytvyn's Bloc) echoed Lytvyn's campaign themes, panning Yushchenko's speech, ripping partisanship between both "blue" and "orange" parties but singling out Our Ukraine for most of the blame, including the Rada's failure to seat constitutional court judges, criticizing the Socialists for not voting for the government's military exercise plan, and claiming the country needed Lytvyn's middle force to tie the warring factions back together again. Ne Tak!'s Shufrych continued his anti-NATO diatribe in Russian, while his bloc and faction leader Kravchuk critiqued a speech he had not heard in its entirety. Socialist Leader Moroz dismissed Yushchenko's call for a people's review of the Constitution, predicting the current Constitution would still be in place ten years hence; Socialist industrialist Boyko attacked Yushchenko's economic policy.

13. (C) Comment: Less impressive than expected pre-election posturing was the lack of decorum on the part of Rada MPs, from the pre-speech brawl initiated by the Communists to the constant ringing of cellphones (MPs, plus journalists and a Russian diplomat seated in the observer gallery). Rada deputies had reacted with outrage in mid-January after Lytvyn reported Yushchenko had characterized them as "a bunch of schoolboys in short pants" during an NSDC session in the aftermath of the Rada's January 10 vote to dismiss the Yekhanurov government. But their behavior February 9 before, during, and after Yushchenko's "State of the Nation" address did nothing to refute the charge.

14. (U) Visit Embassy Kiev's classified website at:
www.state.sgov.gov/p/eur/kiev.
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